THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.NO.26670 OF 2001

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BETWEEN

K.Shravana Kumar sonof K.V.Ratnam

..petitioner

vs.

Jawahar Bharat Degree College, kavali and five others.

..Respondents

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W.P.NO.26670 OF 2001

ORAL ORDER

The writ petition is filed challenging a call letter issued by the 1st respondent-Institution dated 22-12-2001 informing the petitioner that with reference to his application for the post of Lecturer in History, he may appear before the selection

committee and further informing him that the post of Lecturer in History in 1st respondent-College is reserved for "SC.B" category and only if an "SC.B" candidates is not available, the post would be filled up by a candidate belonging to "SC.C". The petitioner is a "SC.C" candidate who is aggrieved by being considered in second preference and if the first preference of "SC.B" were not available.

Sri P.V.Krishnaiah, learned counsel for the petitioner now states that the categorization of Scheduled Castes has since been invalidated by Supreme Court i n **E.V.Chennaiah Vs. State of A.P. & Ors()** and that consequently the ABCD categorization as brought about by the State legislation has ceased to be operational.

In the notification dated 22-08-2001 as published in the local press the 1st respondent-Institution has invited applications for the aided post of Lecturer in History, apart from a Lecturer in Commerce, clearly mentioning that as per the relevant roster point, the post is earmarked for "SC" backlog post and that only "SC" candidates are eligible. The paper notification does not state that the post is earmarked for "SC.B" candidate. However, that requirement is mentioned only in the call letter dated 22-12-2001 issued to the petitioner.

In view of the subsequent developments including the invalidation of the categorization by the declaration of Law by the Supreme Court and consequent action taken by the State Government, the 1st respondent is now required to re-issue the advertisement if it desires to fill up the post of *inter alia* a Lecturer in History, in accordance with the roster point now applicable to the said post and in the light of the post "***E.V.Chennaiah"*** developments. The grievance of the petitioner in specie in the writ petition, however, does not survive.

The writ petition is accordingly dismissed. The 1st respondent is at liberty to fill up the vacancy *inter alia* of Lecturer in History in accordance with the extant law. No order as to costs.

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GODA RAGHURAM,J

30th JANUARY 2006

Note:

Issue CC in three(3)

Days..

(B/O)

*TSNR